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Counsel for Defendant ALLEN

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

|                           |   |                                     |
|---------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, | ) | No. CR 11-286 CRB (LB)              |
|                           | ) |                                     |
| Plaintiff,                | ) |                                     |
|                           | ) | STIPULATION AND <del>PROPOSED</del> |
| v.                        | ) | ORDER TO MODIFY CONDITIONS OF       |
|                           | ) | RELEASE                             |
|                           | ) |                                     |
| FLEURETTE ALLEN,          | ) |                                     |
|                           | ) |                                     |
| Defendant.                | ) |                                     |
| _____                     | ) |                                     |

On May 6, 2011, defendant Fleurette Allen was released on a \$75,000 unsecured bond to reside in the halfway house while his case was pending. Mr. Allen demonstrated compliance with his conditions of release, and on August 10, 2012, the parties agreed by stipulation that Mr. Allen's conditions should be modified to remove the condition that he reside at the halfway house and impose a new condition to reside with his mother in Oakland, CA, and be subject to location monitoring. The Court signed the stipulation and modified his conditions accordingly.

On August 22, 2012, Mr. Allen was sentenced to 30 months in custody; however, his sentence was stayed and he was granted bail pending appeal. His appeal has been filed, but the Ninth Circuit has not yet scheduled a date for oral argument in his case. It is likely to be at least six months before there is a ruling in his case.

Since the time of his sentencing, Mr. Allen has resided with his mother in Oakland as

ordered, he has maintained employment at Bay Bread in San Francisco, and he has had no positive drug tests. He now requests that the Court further modify his conditions of release to remove the electronic monitoring requirement. He would agree to continue to reside at a location approved by pretrial services and not be away from such location for more than 24 hours without prior approval from pretrial services, and he would agree to maintain his employment. All other conditions would remain in place.

Pretrial Services Officer Victoria Gibson is in agreement with the proposed modifications, and the government does not object to the proposed modifications.

IT IS SO STIPULATED.

MELINDA HAAG  
United States Attorney

5/30/13

/s/

DATED

RANDY LUSKEY  
Assistant United States Attorney

STEVEN KALAR  
Federal Public Defender

5/30/13

/s/

DATED

RITA BOSWORTH  
Assistant Federal Public Defender

In light of the parties' stipulation, it is hereby ORDERED that the defendant's conditions of release shall be modified such that the defendant shall no longer be subject to electronic monitoring. The defendant shall reside in a location approved by pretrial services, and he shall

1 not be away from that location for more than 24 hours without prior approval of pretrial services.  
2 The defendant shall maintain his current employment. All other conditions of release shall  
3 remain in place.

4  
5 June 3, 2013

6 DATED



LAUREL BEELER  
United States Magistrate Judge